IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5817 of 1988

For Approval and Signature:

Hon'ble MR.JUSTICE B.J.SHETHNA

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

MANILAL KABHABHAI JHALA

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 5817 of 1988
MR YN OZA for Petitioner No. 1
MS GOVERNMENT PLEADER for Respondent No. 1
NOTICE SERVED for Respondent No. 2-3

CORAM : MR.JUSTICE B.J.SHETHNA

Date of decision: 20/12/2002

ORAL JUDGEMENT

Learned A.G.P. Ms.Devani for the respondent State places on record the copy of order dated 10/11.2.1999 of reinstatement passed by the D.S.P., Ahmedabad (Rural), Ahmedabad, reinstating the petitioner in service. She has

also produced the photostat copy of order dated 12/15.4.2002 whereby the petitioner was voluntarily retired from service. After retirement the petitioner addressed letter dated 16.12.2002 to the Hon'ble Chief Justice of this Court making request to withdraw his writ petition in view of the order of reinstatement passed in his favour in 1999. The photostat copy of said application is also produced on record.

In view of the above, this petition does not survive any more. However, Shri Shivang Shukla for Shri Y.N.Oza for the petitioner has no such instruction and therefore he was not in a position to withdraw this petition.

In view of aforesaid orders, I am of the considered opinion that this petition does not survive any more and accordingly it is disposed of. Rule discharged. No order as to costs.

Date : December 20, 2002 (B.J.Shethna, J.)

sas